

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lu et al.
Serial No: 10/040,242
Filed: November 9, 2001
For: TOPICAL COMPOSITION HAVING UNDIFFERENTIATED PLANT
SEED CELLS AND METHOD FOR USING SAME
Examiner: I.A.D. Ghali
Art Unit: 1615
Confirmation No.: 9256
Atty. Docket: 680.0043USU

BEST AVAILABLE COPY**RESPONSE**

Box Non-Fee Amendment
Commissioner for Patents
Washington, DC 20231

Dear Sir:

Responsive to the Office Action mailed March 26, 2003 (Paper No. 5), please reconsider the claims in view of the following election:

REMARKS

Claims 1 to 24 remain pending.

Claims 1 to 24 have been made subject to a restriction requirement under 35 U.S.C. 121. Claims 1 to 10 and 13 to 18 are drawn to a topical composition comprising plant seed cells, vehicle and methods of use. Claims 11, 12 and 19 to 22 are drawn to a topical composition comprising neem seed cells and method of use. Claims 23 and 24 are drawn to a method of enhancing the production of a predetermined plant cell constituent.

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Attention: Examiner I. A. D. Ghali

Department:

OFFICIAL

Company Name: USPTO

Date: April 28, 2003

Facsimile Equipment Phone Number:

1 703 305-3592

Pages: 5 (including cover sheet)

Serial No.: 10/040,242

From: Charles N.J. Ruggiero, Esq.

Art Unit: 1615

Docket No.: 680.0043USU

Dear Examiner Ghali:

We are enclosing a Response to the Office Action for the above-identified application.

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**BOX NON-FEE AMENDMENT
COMMISSIONER FOR PATENTS
Washington, D.C. 20231**

Dear Sir:

RESPONSE TO OFFICE ACTION TRANSMITTAL FORM

We are enclosing a Response to the Office Action in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$ _____ to extend the time for filing this response until _____.

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	16	Minus	24	0	x \$18.00	\$0
Independent Claims	2	Minus	6	0	x \$84.00	\$0
MULTIPLE DEPENDENT CLAIM FEE				x \$280.00 = \$		
TOTAL FEE FOR CLAIM CHANGES				\$0.00		

The total fee for this amendment, including claim changes and any extension of time is calculated to be \$ 0.00.

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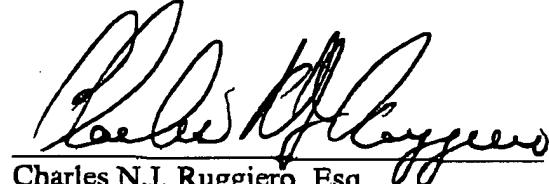
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A Request for Extension of Time is attached.

X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 01-0467. A duplicate copy of this Form is enclosed.

April 28, 2003

Date



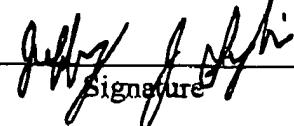
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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to Box Non-Fee Amendment, Commissioner for Patents, Washington, D.C. 20231, Group Art Unit 1615, facsimile number 703 305 3592 on April 28, 2003.

Jeffrey J. Scepanski

Name



Signature

04/28/03

Date

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